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April 15, 2021

BY ECF

Honorable Analisa Torres, U.S.D.J.
United States District Court
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York 10007

Re: George Packard, et al. v. City of New York,
15 Civ. 7130 (AT)

Your Honor:

I am an attorney in the office of James E. Johnson, Corporation Counsel of the City of New York, counsel for defendant City of New York. I write with the consent of plaintiff's counsel, Wylie Stecklow, Esq., to respectfully request an adjournment of the trial in this matter, currently scheduled for June 7, 2021.

The basis of this request is that a trial before the Honorable Ronnie Abrams was adjourned *suo sponte* from May 17, 2021 to May 24, 2021. The case before Judge Abrams, Small v. City of New York, et. al., 09 CV 1912 (RA)(SDA), involves claims by a plaintiff for multiple incidents while in the custody of the New York City Department of Correction, as well as a claim for municipal liability. Because the Small trial involves a law school clinic, the Court indicated its intent to complete the trial before the students graduate. This trial will have a number of witnesses, and may run into a second week. As a result, the trial in Small will prevent the undersigned from any significant preparation for trial in the matter here. The trial in Packard also includes several incidents with different plaintiffs, and plaintiffs' claim is based on municipal liability. In addition, my co-counsel Peter Bocker, Esq., is scheduled to commence a trial in the Eastern District of New York on June 21, 2021 in the matter of Matthew Watson v. Det. John Guerra, 17-CV-5137 (BMC) (LB). Finally, because the trial in this matter may turn out to be lengthy with a large number of civilian and law enforcement witnesses and require a significant commitment by jurors, counsel for all parties are unsure whether the trial will be impacted by the uncertainties of the ongoing pandemic.

As a result, I respectfully request a short adjournment of the June 7, 2021 trial date to a date convenient to the Court. Additionally, the parties respectfully request a conference to discuss scheduling with the Court, and the opportunity to understand the parameters in the Southern District of New York that impact this adjournment and the selection of a new trial date.

Respectfully submitted,

/s/

Joshua J. Lax
Senior Counsel
Special Federal Litigation Division

cc: All counsel (By ECF)

GRANTED. The trial set for June 7, 2021, is ADJOURNED *sine die*. The parties shall appear for a conference on **April 28, 2021**, at **11:00 a.m.**, to discuss trial scheduling.

The conference will proceed using the Court's videoconferencing software. Chambers will email the parties instructions on how to participate in the conference. Members of the public may access the proceeding by calling (917) 933-2166 and entering access code 224151970.

SO ORDERED.

Dated: April 19, 2021

New York, New York



ANALISA TORRES
United States District Judge